

REMARKS/ARGUMENTS

The Office Action mailed April 21, 2004 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claims 1, 8, 18, 30, 38, 40-43, 50 and 60 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, page 9, lines 15-21. The text of claims 2-7, 9-17, 19-29, 31-37, 39, 44-49, 51-59 and 61-66 is unchanged, but their meaning is changed because they depend from amended claims. New claims 67-77 have been added, which also particularly point out and distinctly claim subject matter regarded as the invention.

Record of Interview

On August 4th, 2004, an interview was conducted by telephone between Examiner Nguyen, Examiner Field, and Marc S. Hanish, Reg. No. 42,626. Applicants thank the Examiner for granting this interview.

During this interview, the office action was discussed. Specifically, Applicant needed clarification of how Chuah and Holt were being used to allegedly teach “a central database of all NASes”. The Examiners indicated that it was Chuah that allegedly teaches that element, and not Holt. Applicant then proceeded to explain that Chuah cannot teach that element because Chuah does not teach have a list that discloses all NASes known to the computer network at large, but rather only teaches a list having all NASes known to the home gateway. Applicant explained the difficulty in interpreting this reference to teach a central database, as the location of the database was at or connected to a home gateway, which Applicant pointed out is more accurately deemed

a local database, not a central database. Furthermore, Chuah's NAS list only stores NASes that are either (1) within the home gateway's purview (i.e., local NASes), or (2) outside the home gateway's purview but that have been registered with the home gateway (i.e., foreign NASes that have sent a message to the home gateway alerting it to their presence). Chuah's NAS list therefore does not include any foreign NASes that have not sent a message to the home gateway.

The Examiners pointed out that it was their position that the claims did not indicate that the "broadcasting" in step 1 made it so that the local NAS list does in fact store information as to all the NASes known to the network. Applicant agreed to amend the claims to clarify that fact. It should be noted that while the Examiners indicated that the claim should include a limitation indicating that the entire NAS list is broadcast from the central database to the local database during the "broadcasting", Applicant has elected to amend the claim differently as Applicant maintains that as long as the local database is maintaining a current version of the NAS list in the central database, it is not necessary that the entire NAS list be transmitted during each broadcast. For example, the central database may send a complete NAS list only once, and then upon subsequent changes to the central database, only send information relating to the change. The claims have been amended to allow for this case.

The First 35 U.S.C. § 103 Rejection

Claims 1-7, 25-29, 40 and 43-49 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chuah et al¹ in view of Holt et al², among which claims 1, 25 and 43 are independent claims. This rejection is respectfully traversed.

¹ U.S. Patent No. 6,400,722

² U.S. Patent No. 6,070,192

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.³

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Chuah except that Chuah does not teach broadcasting a message to a NAS list located at each POP.⁴ The Office Action further contends that Holt teaches broadcasting a message to a NAS list located at each POP and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Holt into Chuah in order to broadcast a message from a central database to a NAS list. The Applicants respectfully disagree for the reasons set forth below.

Claim 1 as amended includes the limitation “broadcasting a message from said central database to a NAS list located at each POP in the computer network whenever said central database is changed, said message containing information regarding the change such that a current version of said central database of all NASes known to the computer network is maintained at said NAS list located at each POP.” As discussed during the interview, Chuah’s NAS list is not complete, as it does not include NASes known to the network, but that haven’t registered with the home gateway. Chuah therefore does not maintain database of all NASes

³ M.P.E.P § 2143.

⁴ Office Action ¶ #.

known to the computer network at each POP. Likewise, Holt does not teach broadcasting a message such that a current version of the central database of all NASes known to the computer network is maintained at the NAS list located at each PoP.

Applicant would further like to remind the Patent Office that both Holt and Chuah disclose only a single database, and that neither disclose having BOTH a local database and a central database storing the NAS list. This argument was discussed in a prior response to Office Action and thus will not be repeated here. For these reasons, Applicant respectfully submits that claim 1 is in condition for allowance.

Claims 40 and 43 contain similar elements to claim 1, and thus are also in condition for allowance.

Claim 25 contains an element of “a NAS list broadcaster”. Applicant refers to page 11, lines 24-26, which states that “[c]hanges to the lists are propagated to all protocol gateways and AAA servers, and take effect without having to restart or reset any protocol gateway or AAA server.” Applicant believes it is clear from this statement that the NAS list broadcaster broadcasts the message in such a way that the local NAS list is able to maintain a current version of the central NAS list. As such, applicant maintains that the term “NAS list broadcaster” should be interpreted in that way, and thus claim 25 is in condition for allowance for the same reasons as claims 1, 40, and 43.

As to dependent claims 2-7, 26-29, and 44-49, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

The Second 35 U.S.C. § 103 Rejection

Claims 8-24, 30-39, 41-42 and 50-66 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Holt et al in view of Chuah et al among which claims 8, 18, 30, 38, 41, 42, 50, and 60 are independent claims. This rejection is respectfully traversed.

Claim 8 as amended includes the element “accessing a list of network access servers (NASes) known to the PoP and known to the computer network, said list located locally at the PoP and periodically updated via communication with a central database.” As discussed above, neither Chuah nor Holt nor their combination teaches maintaining a local NAS list that is periodically updated via communication with a central database. This is due to the fact that neither Holt nor Chuah teach maintaining BOTH a central database and a local database. Both Holt and Chuah have only a single database, thus any step involving updating a local database using information from a central database clearly cannot be taught by either reference, nor the combined references. For these reasons, applicant respectfully submits that claim 1 is in condition for allowance.

Claims 18, 30, 38, 41-42, 50, and 60 contain a similar element to that in claim 8 as amended. Applicant therefore respectfully submits that these claims are also in condition for allowance.

As to dependent claims 9-17, 19-24, 31-37, 39, 31-59, and 61-66, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.


If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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